

**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

KELLY A. AYOTTE
ATTORNEY GENERAL



MICHAEL A. DELANEY
DEPUTY ATTORNEY GENERAL

June 29, 2005

Section 5 Submission

Chief, Voting Section
Civil Rights Division
Room 7254 – NWB
Department of Justice
950 Pennsylvania Ave., NW
Washington, DC 20006

Re: Submission Under Section 5 of the Voting Rights Act for:

New Hampshire Revised Statute Annotated ("RSA") 652:12, a STATUTE related to when an office is considered to have a "vacancy," most recently amended by Laws of 2003 Chapter 22 and previously amended by the chapters cited below.

Dear Voting Section Chief:

Pursuant to 42 U.S.C. § 1973 (c), the State of New Hampshire, through the Office of the New Hampshire Attorney General, hereby submits RSA 652:12, a STATUTE related to when an office is considered to have a "vacancy," most recently amended by Laws of 2003 Chapter 22 and previously amended by the chapters cited below.

SUBMISSION:

In accordance with 28 C.F.R. § 51.27, the submission is as follows:

- a) Chapter 22 (2003) amending RSA 652:12 is attached. (Exhibit 652:12 A)
 - 1. Chapter 70 (1994) amending RSA 652:12 is attached (Exhibit 652:12 B)
 - 2. Chapter 216 (1991) amending RSA 652:12 is attached (Exhibit 652:12 C)

- b) Chapter 436 (1979) enacting RSA 652:12 is attached (Exhibit 652:12 D)
- c) The changes made by amendments to RSA 652:12 are as follows:
 - 1. Chapter 22 (2003) amends this section as follows:
 - a. Inserts "...or her..." following "...his..." throughout
 - b. Replaces the phrase "*Such unit...*" with the phrase "*The member...*" in section VI(a)
 - c. Inserts the phrase "...as determined by the house of representatives in the case of a member of the house of representatives and by the senate in the case of a member of the senate..." in section VI(b) following the word "*duties*"
 - 2. Chapter 70 (1994) inserts the phrase "*Fails or...*" at the start of section IV and the phrase "...within the period prescribed in RSA 42:6..." following the word "*office*" in the same section
 - 3. Chapter 216 (1991) amends this statute by inserting section VI
 - 4. Chapter 436 (1979) enacts RSA 652:12
- d) This submission is made by: Senior Assistant Attorney General Orville B. Fitch II, 33 Capitol Street, Concord, New Hampshire 03301, Phone: (603) 271-1238.
- e) The submitting authority is New Hampshire Attorney General, Kelly A. Ayotte for the State of New Hampshire.
- f) Not applicable.
- g) The changes for which pre-clearance is sought were made by a decision of the New Hampshire General Court (Legislature).
- h) In accordance with Amendment X of the U.S. Constitution, the New Hampshire General Court, the State's legislature, acting pursuant to the New Hampshire Constitution Part Second, Article 2, granting supreme legislative power within the state to the House and Senate, who with right to negate each other are granted power to make law through Part Second, Article 5. Additional authority regarding election law is vested in Part First, Article 11.

The legislature through a bicameral process passed law to create Chapter 22 (Exhibit 652:12 A). The bill was signed into law (by the Governor) on April 24, 2003, pursuant to New Hampshire Constitution Part Second, Article 44.

i) Adoption dates:

1. Chapter 22 (2003) adopted April 24, 2003
2. Chapter 70 (1994) adopted May 6, 1994
3. Chapter 216 (1991) adopted June 10, 1991
4. Chapter 436 (1979) adopted June 25, 1979

j) Effective dates:

1. Chapter 22 (2003) effective April 24, 2003
2. Chapter 70 (1994) effective July 5, 1994
3. Chapter 216 (1991) effective August 9, 1991
4. Chapter 436 (1979) effective July 1, 1979

k) The changes have been enforced.

l) The changes affect the entire State of New Hampshire.

m) The purpose for the changes are as follows:

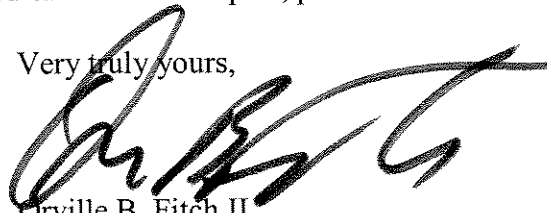
1. The purpose of the Chapter 22 (2003) changes are as follows:
 - a. Amend the statute for gender-neutrality
 - b. Change the focus of section VI(a) from the NH national guard unit called to serve, to the NH guardsman personally called to serve, regardless of unit
 - c. Allow each house of the NH General Court to determine when a member is unable to perform their duties because of a NH National Guard commitment or call to service.
2. The purpose of the Chapter 70 (1994) change is to ascribe a period of time, determined by reference to RSA 42:6, within which failure to take an oath creates a vacancy in that office

and to include failures to take oaths in this section along with refusals to take oaths.

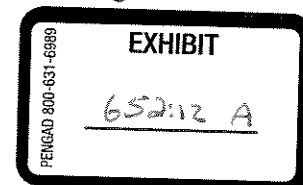
3. The purpose of the Chapter 216 (1991) change is to provide procedures for determining when a vacancy of office occurs for a legislator who is a NH National Guard military member who has been called to active duty.
 4. The purpose of the Chapter 436 (1979) was to enact RSA 652:12
- n) These changes do not negatively target any protected class under section 5 of the Voting Rights Act of 1965. *42 U.S.C. 1973c*. They are expected to have neutral impact and do not meet the test of retrogression defined in *Reno v. Bossier Parish Sch. Bd*, 520 U.S. 471, 478 (1997). “(T)he ability of minority groups...to elect their choices to office” will not be diminished. *Beer v. U.S.*, 425 U.S. 130,141 (1976).
 - o) None known.
 - p) RSA 652:12 was precleared through 1979 on June 22, 2004 by D.O.J. file numbers 2004-2563, 2004-2581 and 2004-2582. A copy of this preclearance is attached as Exhibit 652:12 E. This submission seeks preclearance of all subsequent changes.
 - q) Not applicable as this is not a redistricting plan.
 - r) Exhibit 652:12 F is a copy of a Press Release of this submission, its availability, and inviting comment to federal Department of Justice.

I expect the foregoing information is sufficient to enable the United States Attorney General to make the required determination pursuant to Section 5 of the Voting Rights Act. If further information is required or would be helpful, please contact me.

Very truly yours,



Orville B. Fitch II
Senior Assistant Attorney General
Civil Bureau
(603) 271-1238
bud.fitch@doj.nh.gov



CHAPTER 22

HB 101 - FINAL VERSION

04/10/03 1207s

2003 SESSION

03-0310

03/09

HOUSE BILL **101**

AN ACT relative to qualifications for state offices and relative to vacancies in public offices.

SPONSORS: Rep. Flanagan, Rock 78; Rep. Fields, Hills 58

COMMITTEE: Election Law

AMENDED ANALYSIS

This bill codifies certain constitutional qualifications for state elective offices. This bill also requires that the house of representatives or the senate determine that a member is unable to perform his or her legislative duties because of service in a military reserve or national guard unit in order for such service to create a vacancy. This bill also makes certain gender-neutral changes.

Explanation: Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struckthrough~~].

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

04/10/03 1207s

03-0310

03/09

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Three

AN ACT relative to qualifications for state offices and relative to vacancies in public offices.

Be it Enacted by the Senate and House of Representatives in General Court convened:

22:1 Elections; Nominations; Qualifications by Office. Amend RSA 655:5-655:8 to read as follows:

655:5 Governor. To hold the office of governor, a person must be qualified as provided in Part 2, Article 42 of the state constitution: ***at the time of the election, the person must have been an inhabitant of this state for 7 years next preceding, and be of the age of 30 years.***

655:6 Councilor. To hold the office of councilor, a person must be qualified as provided in Part 2, Article 61 of the state constitution: *the person must be of the age of 30 years, and shall have been an inhabitant of this state for 7 years immediately preceding the election, and at the time thereof shall be an inhabitant of the district for which he or she shall be chosen. Should such person, after election, cease to be an inhabitant of the district for which he or she was chosen, he or she shall be disqualified to hold said position and a vacancy shall be declared therein.*

655:7 State Senator. To hold the office of state senator, a person must be qualified as provided in Part 2, Article 29 of the state constitution: *the person must be of the age of 30 years, and shall have been an inhabitant of this state for 7 years immediately preceding the election, and at the time thereof shall be an inhabitant of the district for which he or she shall be chosen. Should such person, after election, cease to be an inhabitant of the district for which he or she was chosen, he or she shall be disqualified to hold said position and a vacancy shall be declared therein.*

655:8 State Representative. To hold the office of state representative, a person must be at least 18 years of age and must be qualified as provided in Part 2, Article 14 of the state constitution: *for 2 years, at least, next preceding the election shall have been an inhabitant of this state; and shall be, at the time of the election, an inhabitant of the town, ward, place, or district he or she may be chosen to represent, and shall cease to represent such town, ward, place, or district immediately on his or her ceasing to be qualified as aforesaid.*

22:2 Elections; Vacancy. Amend RSA 652:12 to read as follows:

652:12 Vacancy. A "vacancy" shall occur in a public office if, subsequent to his *or her* election and prior to the completion of his *or her* term, the person elected to that office:

- I. Either dies, resigns, or ceases to have domicile in the state or the district from which he *or she* was elected; or
 - II. Is determined by a court having jurisdiction to be insane or mentally incompetent; or
 - III. Is convicted of a crime which disqualifies him *or her* from holding office; or
 - IV. Fails or refuses to take the oath of office within the period prescribed in RSA 42:6 or to give or renew an official bond if required by law; or
 - V. Has his *or her* election voided by court decision or ballot law commission decision; or
 - VI. Is a member of the general court of New Hampshire and a member of a military reserve or national guard unit;
- and

(a) ~~[Such unit]~~ *The member* was called to serve in an emergency; and

(b) Service in such unit causes the member to be unable to perform his *or her* legislative duties, *as determined by the house of representatives in the case of a member of the house of representatives and by the senate in the case of a member of the senate*, for longer than 180 consecutive days; and

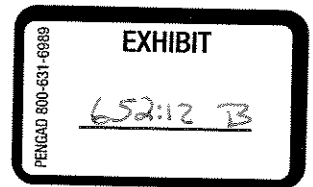
(c) The selectmen of any town or ward in the district from which the member is elected request of the governor and council that the office be declared vacant.

22:3 Effective Date. This act shall take effect upon its passage.

(Approved: April 24, 2003)

(Effective Date: April 24, 2003)

5jan94.....3735h

HOUSE BILL - FINAL VERSION**1994 SESSION** 0703B

93-0820

08

HOUSE BILL NO. 410-LOCAL

INTRODUCED BY: Rep. Williamson of Rock 3; Rep. D. Sytek of Rock 26;

Rep. Lovejoy of Rock 12; Rep. Newman of Rock 4;

Sen. Barnes of Dist 17

REFERRED TO: Municipal and County Government

AN ACT relative to the appointment of a deputy town treasurer and the swearing in of town officers.

AMENDED ANALYSIS

This bill allows local governing bodies to determine when the oath of office for town officials must be taken.

The bill prescribes methods of notice that the oath is to be taken.

The bill also allows the town treasurer to appoint a deputy town treasurer with the approval of the board of selectmen.

EXPLANATION: Matter added appears in ***bold italics***.

Matter removed appears in [brackets].

Matter which is repealed and reenacted or all new appears in regular type.

5jan94.....3735h

CHAPTER 70

HOUSE BILL - FINAL VERSION

0703B

93-0820

08

HB 410-LOCAL

STATE OF NEW HAMPSHIRE

In the year of Our Lord one thousand
nine hundred and ninety-four

AN ACT

relative to the appointment of a deputy town treasurer
and the swearing in of town officers.

Be it Enacted by the Senate and House of Represen-
tatives in General Court convened:

70:1 Appointment of Deputy Town Treasurer. RSA 41:29-a is
repealed and reenacted to read as follows:

41:29-a Deputy Treasurer. Each town may have a deputy treasurer
who shall be qualified in the same manner as the town treasurer
and who shall perform all the duties of the town treasurer in
case of the treasurer's absence by sickness, resignation, or
otherwise. A deputy treasurer shall be appointed by the town
treasurer with the approval of the board of selectmen.

70:2 Swearing in of Officers. RSA 42:3 is repealed and reenacted
to read as follows:

42:3 Swearing in of Officers. The local governing body may
determine the time for the taking of the oath required by RSA
42:1 by any person chosen to office, but in no case shall it be
prior to the expiration of the recount period provided in RSA
669:30.

70:3 Notice to Take Oath. Amend RSA 42:4 to read as follows:

42:4 Notice to Take. The town clerk shall [forthwith, after the
choice of any town officers, by a precept under his hand,]

immediately, or in accordance with the time adopted by the governing body, if one has been adopted, direct a constable or police officer to notify the persons so chosen *or notify such persons by registered mail, return receipt requested,* to appear before [him] *the clerk* within 6 days after receiving the notice, and take the oath by law prescribed. The officer shall, within 4 days, give personal notice to the persons therein named, or leave a notice in writing at the abode of each, and make return of the precept and of his doings therein to the town clerk within 6 days.

70:4 Penalty for Neglect to Appear. Amend RSA 42:6 to read as follows:

42:6 Penalty for Neglect to Appear. Every person so chosen and notified, not by law exempt from serving, who shall neglect, for 6 days after personal notice, or notice left at [his] *the person's* abode, or after [his] *the person's* return in *the* case [he was absent] *of absence* when such notice was left, *but in no case later than 30 days after the person's election,* to appear before the town clerk and take the oath, shall be guilty of a violation, and any fines shall be appropriated as in RSA 42:5.

70:5 Failure to Take Oath Creates Vacancy. Amend RSA 652:12, IV to read as follows:

IV. *Fails or* refuses to take the oath of office *within the period prescribed in RSA 42:6* or to give or renew an official bond if required by law; or

70:6 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 6, 1994

Effective: July 5, 1994

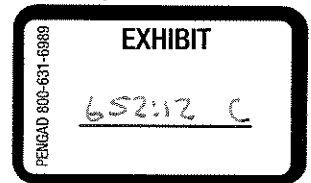
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HOUSE BILL - FINAL VERSION

1991 SESSION 0758L

91-1068

08

HOUSE BILL NO. 116 (CHAPTER 216, LAWS OF 1991)

INTRODUCED BY: Rep. Gross of Merrimack Dist. 16

REFERRED TO: Public Protection and Veterans Affairs

AN ACT relative to vacancies in the New Hampshire general court.

AMENDED ANALYSIS

This bill provides circumstances under which a vacancy in the general court may be declared when a general court member has been called to active military service in an emergency.

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EXPLANATION: Matter added appears in ***bold italics***.

Matter removed appears in [brackets].

Matter which is repealed and reenacted or all new appears in regular type.

0758L

91-1068

08

HB 116

STATE OF NEW HAMPSHIRE

In the year of Our Lord one thousand

nine hundred and ninety-one

AN ACT

relative to vacancies in the New Hampshire general court.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Vacancy Due to Certain Military Service. Amend RSA 652:12, V to read as follows:

V. Has his election voided by court decision or ballot law commission decision[.]; **or**

VI. Is a member of the general court of New Hampshire and a member of a military reserve or national guard unit; and

(a) Such unit was called to serve in an emergency; and

(b) Service in such unit causes the member to be unable to perform his legislative duties for longer than 180 consecutive days; and

(c) The selectmen of any town or ward in the district from which the member is elected request of the governor and council that the office be declared vacant.

2 Effective Date. This act shall take effect 60 days after its passage.

652:7 Town Election. "Town election" shall mean an election to choose a town officer.

652:8 City Election. "City election" shall mean an election to choose a city officer.

652:9 School District Election. "School district election" shall mean an election to choose a school district officer.

652:10 Village District Election. "Village district election" shall mean an election to choose a village district officer.

652:11 Party. "Party" shall mean any political organization which at the preceding state general election received at least 3 percent of the total number of votes cast for the office of governor.

652:12 Vacancy. A "vacancy" shall occur in a public office if, subsequent to his election and prior to the completion of his term, the person elected to that office:

- I. Either dies, resigns or ceases to have domicile in the state or the district from which he was elected; or
- II. Is determined by a court having jurisdiction to be insane or mentally incompetent; or
- III. Is convicted of a crime which disqualifies him from holding office; or
- IV. Refuses to take the oath of office or to give or renew an official bond if required by law; or
- V. Has his election voided by court decision or ballot law commission decision.

652:13 Federal Election. "Federal election" shall mean any state general, special, or primary election held solely or in part for the purpose of choosing or nominating any candidates for the offices of president, vice-president, presidential elector, United States senator, or United States representative but shall not include any presidential primary election.

652:14 Election Officer. "Election officer" shall mean any moderator, town clerk, selectman, supervisor of the checklist or inspector of election.

652:15 Supervisors of the Checklist. The term "supervisors of the checklist" shall include any board of registrars or similar body performing the functions of registering voters and correcting the checklist in cities.

652:16 Town. The term "town" shall include wards in cities.

Time Computation

652:17 Uniform System. For the purposes of the election laws, a uniform system of computation of time shall be maintained.

652:18 Days Excluded. When a period or limit of time is to be reckoned from a day or date, that day or date and the day on which an act should occur shall be excluded from the computation of the period or limit of time.

652:19 Days Included. Whenever the election law refers to a period or limit of time, Saturdays, Sundays, and holidays shall be included, except as provided in RSA 652:18. However, when the last day for performing any act under the election laws is a Saturday, Sunday or official state holiday, the act required shall be deemed to be duly performed if it is performed on the following business day.

652:20 End of Day. Whenever the election laws require a filing with or an

action by an official, such filing or action shall be performed before 5 o'clock in the afternoon of the stipulated day.

Political Calendar

652:21 Authority; Format. Prior to the state primary election, the secretary of state with the advice and approval of the attorney general shall prepare a political calendar for state and town elections setting forth the dates when action required under the election laws must be taken. Any action taken by any candidate or official in connection with the election laws which shall be taken in accordance with the dates set forth in said calendar shall be deemed to be duly performed for the purposes of the election laws. The expense of printing said political calendar shall be a charge upon the appropriation for the office of the secretary of state.

Election Manual

652:22 Authority; Format; Distribution. The secretary of state, with the advice and approval of the attorney general, shall prepare or cause to be prepared by June first preceding each state general election an up-to-date manual on the New Hampshire election laws and procedures for conducting elections. The manual shall be written in non-technical language. The manual shall be distributed free of charge to each moderator, board of selectmen, city council, board of supervisors of the checklist and to each town, city and ward clerk. The secretary of state may distribute said manual to any other person who requests it.

CHAPTER 653

ELECTION OF OFFICERS AND DELEGATES

State and County Officers to be Elected

653:1 Elected for 2-Year Term. At every state general election, the following officers shall be elected for 2-year terms except as otherwise provided:

- I. The governor by the voters of the state;
- II. One executive councilor by the voters in each executive councilor district;
- III. One state senator by the voters in each senatorial district;
- IV. The number of state representatives to which a district is entitled by the voters in such state representative district;
- V. One sheriff, one county attorney, one county treasurer, one register of deeds, and one register of probate by the voters in each county;
- VI. County commissioners as follows:

(a) Coos, Carroll, Grafton, Merrimack, Hillsborough, and Rockingham counties - one county commissioner by those voters in each county commissioner district in each county;

(b) Belknap and Sullivan counties - one county commissioner from each county commissioner district by all the voters of each county;

(c) Strafford County - 3 county commissioners by all the voters of the county;

(d) Cheshire County - one county commissioner by the county commissioner district; provided that, at the 1980 state election, no commissioner from district 1 shall be elected, the commissioner from district 2 shall be elected to a 4-year term and the commissioner from district 3 shall be elected to a 2-year term. At each subsequent state general election, commissioners shall be chosen in the county by the inhabitants in which a commissioner's term is expiring; and, of the com-

EXHIBIT

652:12 D

PENKAD 800-631-6989



U.S. Department of Justice

Civil Rights Division

EXHIBIT

652:12 E

JDR:RPL:SMC:jdh
DJ 166-012-3
2004-2563
2004-2581
2004-2582

*Voting Section - NWB
950 Pennsylvania Avenue, N.W.
Washington, DC 20530*

June 22, 2004

Orville B. Fitch II, Esq.
Assistant Attorney General
Civil Bureau
Department of Justice
33 Capitol Street
Concord, New Hampshire 03301-6397

Dear Mr. Fitch:

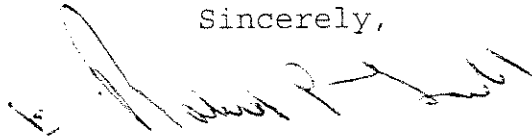
This refers to Session Law Chapter 436 (HB 575) (1979), which recodifies the election laws of the State of New Hampshire; Session Law Chapter 266 (HB 577) (2003), which implements the Help America Vote Act of 2002 (HAVA), 42 U.S.C. 15301-15545; and the adoption of formal administrative procedures for the resolution of election law complaints, including complaints filed under Title III of HAVA, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. We received your submissions on June 7, 2004.

The Attorney General does not interpose any objection to the specified changes. Regarding Session Law Chapter 266, we note that the act specifically amends the following provisions of the State's election laws: RSA 655:19, II (Chapter 387 (1991)) (to provide for the deposit of certain candidate filing fees collected by the secretary of state into the election fund); RSA 655:19-c (Chapter 387 (1991)) (to provide for the deposit of any administrative assessments paid to the secretary of state into the election fund); RSA 664:3, I (Chapter 351 (1997)) (to provide for the deposit of political committee registration fees paid to the secretary of state into the election fund); RSA 664:21, II (Chapter 351 (1997)) (to provide for the deposit of any administrative fines for violations of the State's campaign finance laws into the election fund); and RSA 665:7 (Chapter 436 (1979)) (to authorize the Ballot Law Commission to hear and resolve complaints alleging violations of Title III of HAVA, as specified).

We note also that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. In addition, as authorized by Section 5, we reserve the right to reexamine this submission if additional information that would otherwise require an objection comes to our attention during the remainder of the sixty-day review period. See Procedures for the Administration of Section 5 of the Voting Rights Act (28 C.F.R. 51.41 and 51.43).

Session Law Chapter 266 includes provisions that are enabling in nature. Therefore, the State is not relieved of its responsibility to seek Section 5 preclearance of any changes affecting voting proposed to be implemented pursuant to this legislation (e.g., creation of a centralized statewide voter registration database by the secretary of state and guidelines issued by the secretary of state implementing the database). See 28 C.F.R. 51.15.

Sincerely,

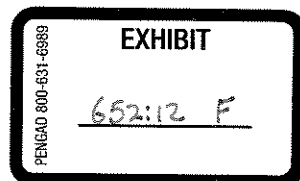
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Joseph D. Rich
Chief, Voting Section

**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

KELLY A. AYOTTE
ATTORNEY GENERAL



MICHAEL A. DELANEY
DEPUTY ATTORNEY GENERAL

News Release

RELEASED BY: Attorney General Kelly A. Ayotte

SUBJECT: Voting Rights Act – Submission of a request for preclearance of changes to New Hampshire Voting laws and procedures

DATE: June 10, 2005

RELEASE TIME: Immediate

Attorney General Kelly A. Ayotte announces the submission of requests for preclearance of changes made to the election laws in New Hampshire to the Federal Department of Justice. Preclearance submissions will address changes made to New Hampshire's election laws since jurisdictions in the State became subject to preclearance.

Ten New Hampshire towns are subject to section 5 of the federal Voting Rights Act. Changes to New Hampshire election laws that affect any of these ten towns must be submitted for review by either the Federal Department of Justice or the Federal District Court for Washington D.C. The federal Department of Justice will review the changes to New Hampshire's election laws to ensure that the changes do not have the effect of denying or abridging the right to vote on account of race or color, or membership in a language minority group. Changes to New Hampshire redistricting statutes have been submitted to, and approved by, the U.S. Justice Department since the 1980 census. Federal regulations require that the public be notified that the State has filed a request for preclearance and that the submission be available for public inspection.

Copies of each submission by the Attorney General for the State of New Hampshire are available at the office of the Attorney General at 33 Capitol Street, Concord New Hampshire, 03301. Each document will also be made available at the Attorney General's Office web site at:

<http://www.doj.nh.gov/elections/>

Attorney General Ayotte and the federal Department of Justice invite persons interested in this submission to submit comments and information, in writing or by telephone, to the Voting Section of the Federal Department of Justice, Civil Rights Division, at the earliest possible date to ensure that they may be considered during the preclearance review time period. Telephone 1-800-253-3931 or (202) 307-2385 or write Chief, Voting Section, Civil Rights Division, Room 7354 – NWB, Department of Justice, 950 Pennsylvania Ave., NW, Washington, DC 20530. The envelope and first page should be marked "Comment under section 5." Additional information on the Voting Rights Act and the preclearance process can be obtained at the web site of the Federal Department of Justice at:

<http://www.usdoj.gov/crt/voting/index.htm>

The New Hampshire Attorney General's Office Voting section can be contacted at:

<http://www.doj.nh.gov/elections/>
New Hampshire Toll Free 1-866-8868-3703
or 1-866-VOTER03
electionlaw@doj.nh.gov